

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MUNDRE L. FLEMINGS,

Plaintiff,

vs.

UNIVERSITY MEDICAL CENTER,

Defendant.

Case No. 2:16-cv-02042-GMN-NJK

ORDER

(Docket No. 1)

Plaintiff Mundre L. Flemings is proceeding in this action *pro se*. Plaintiff has requested authority pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis* and submitted a Complaint on August 29, 2016. *See* Docket No. 1. In determining whether to grant an application to proceed *in forma pauperis*, the Court may look beyond the application to determine the financial condition of the applicants. *See, e.g., Ballard v. Las Vegas Metro. Police*, 2013 U.S. 185112, \*4 (D. Nev. Oct. 18, 2013), *adopted* 2014 U.S. Dist. Lexis 19284 (D. Nev. Feb. 14, 2014). Plaintiff's pending application is incomplete. Plaintiff notes that his take-home pay is \$2,000 per month, but fails to identify the source.<sup>1</sup> Plaintiff notes that he has monthly child support obligations, but fails to state the names or initials of the children dependent upon him and his relationship to them, as required by question 7.

**IT IS ORDERED:**

1. Plaintiff's Application to Proceed *In Forma Pauperis* is **DENIED WITHOUT PREJUDICE**.
2. Plaintiff shall have until **September 16, 2016** to file a completed Application to Proceed *In Forma Pauperis*.
3. Plaintiff shall either make the necessary arrangements to pay the filing fee,

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<sup>1</sup>Plaintiff fails to identify an employer in response to question 2, but states a monthly income in response question 3 and states that he has payday loans in response to question 8. Plaintiff answers questions 3(a)-(e) "No," but provides no answer to question 3(f).

1 accompanied by a copy of this order, or file an Application to Proceed *in forma*  
2 *pauperis*.

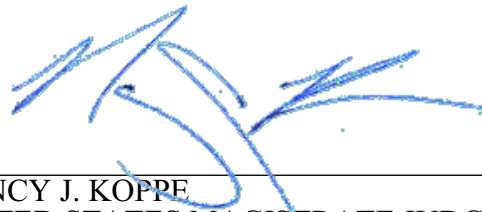
3 4. The Clerk of Court shall mail Plaintiff two blank Applications to Proceed *In Forma*  
4 *Pauperis* for non-incarcerated litigants.

5 5. Alternatively to filing an Application to Proceed *In Forma Pauperis*, Plaintiff may  
6 pay the \$400.00 filing fee no later than **September 16, 2016**.

7 6. **Failure to comply with this Order will result in a recommendation to the**  
8 **District Judge that Defendant's Application to Proceed *In Forma Pauperis* be**  
9 **denied with prejudice.**

10 IT IS SO ORDERED.

11 Dated: September 2, 2016



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13 NANCY J. KOPPE  
14 UNITED STATES MAGISTRATE JUDGE  
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